

DISTRICT OF COLUMBIA
STATEHOOD CONSTITUTIONAL CONVENTION

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Committee on Business, Economic Development and Labor

- - -

Tuesday, April 13, 1982

2:20 p.m.

Room 114

District Building

Washington, D.C.

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P R O C E E D I N G S

MR. CROFT: Pursuant to the rules of the D.C. Statehood Constitutional Convention, the Committee on Business, Economic Development and Labor begins its public hearings on Draft Articles for the Constitution written by members of the Committee.

In attendance from the Committee: Howard Croft, Delegate Ward 6, Chair of the Committee.

We have before us today Mr. Bernard Demzcuk. Would you like to introduce yourself and tell us what organization you are from?

STATEMENT OF BERNARD DEMZCUK, LEGISLATIVE
AND POLITICAL DIRECTOR, AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES, DISTRICT OF
COLUMBIA.

MR. DEMZCUK: My name is Bernard Demzcuk. I am Legislative and Political Director with the American Federation of Government Employees for the District of Columbia.

MR. CROFT: Please proceed, Mr. Demzcuk.

MR. DEMZCUK: Thank you, Mr. Chairman.

The American Federation of Government Employees would like to present a verbal position at this Committee this afternoon, but we ask if we can rework these verbal

comments into a position paper later this week, to submit to your Committee.

MR. CROFT: Surely.

MR. DEMZCUK: The American Federation of Government Employees is pleased today to participate in this dialogue to establish some basic principles, what we see as some basic principles of economic development for the future, soon to be the new State of the District of Columbia, or whatever the name might be. These thoughts may overlap into concerns for the Preamble and Human Rights Committee, but nonetheless, I think they serve both this Committee and the Preamble Committee.

There are three areas that we would like to address this afternoon. First, our concern in coming forward today is not only for the rights and needs of individual members in the American Federation of Government Employees, but also for the quality of life in general in the new State.

As a representative in AFGE, we represent 13 different departments. We have 13 different locals and 11 different departments in the District of Columbia. Those departments are: Department of Recreation, Department of Transportation, Human Services, General Services, Environmental Services, Fire Department, Police Department, Corrections Department, and Housing and Community Development. We have

exclusive recognition in 6 of the largest departments in the District of Columbia.

As workers for the City, we do not produce a saleable commodity such as automobiles or houses or --

MR. CROFT: Could I interrupt for a second?

MR. DEMZCUK: Surely.

MR. CROFT: I would like to acknowledge Delegate Mason and Delegate Marcus. I would like to introduce you to Mr. Bernard Demzduk, from the American Federation of Government Employees.

MRS. MASON: A long-time friend of mine.

MR. MARCUS: Good morning.

MR. DEMZCUK: We do not produce a saleable commodity. What we produce as workers in the City is social services for the City. Examples of that, of course, fall into the categories of the different departments that we represent. We provide recreation as a social service. We provide ambulance services to the City. We provide nursing at D.C. General Hospital and the Department of Corrections. We provide nursing services in the Department of Human Services. We inspect the houses in the City, the buildings in the City. We repair the firetrucks, we repair the police vehicles. We care for the inmates in the Department of Corrections. We

provide food services to the sick. We provide drug and alcohol counselling. We even do things such as filling the pot-holes in the City--all of which are social services.

When providing these social services, our productivity of those social services is contingent upon whether or not we believe in what we are doing. If we do not care or believe in what our work does, then the quality of our productivity in those social services decreases. If, however, we are involved in the process of influencing our work, that is, if we are in a process of helping to decide what kind of services we produce, more times than not, the productivity of our service increases.

The more involved, in other words, in the process of influencing our work, the more we will be concerned about what we do, and therefore the productivity of what we produce will increase.

We believe, therefore, that the greater role that we play in managing the new State-to-be, the greater the productivity of the social service that we produce, and therefore the greater quality of life will be produced in the State. That is position number one.

Point number two is a very brief one. The basic principle that we are advocating, to increase the quality of

life in our new State, is the process of equalizing the relations between labor and management. We would further argue that the point at which the producers of social service--that is, the employees of the State--and the managers of that State can begin to work together to formulate policy is the point at which social services will be more productive, and therefore, an increase in the quality of life.

Point number three. Some of the basic rights that we believe are necessary to equalize the relations between labor and management are the following:

1. The right of all workers in the State to organize--and that is an unabridged right to organize. What I mean by that is that workers should have a right to organize inside the workplace, with freedom of speech, freedom of assembly, particularly inside the workplace. I mention that because in some areas in some States throughout the country, there are severe limitations on organizing inside workplaces.

2. The right to collective bargaining over hours, wages, working conditions, benefits, and workplace policy.

3. The right of elected local union officials to the same amount of time to manage the workers' organization as the managers have time to manage the workplace. I mention this in particular because none of our local unions have

full-time local representatives, whereas management is a full-time manager. This causes serious problems in simply managing the workers' organization.

4. The right of State workers to withhold their labor in labor disputes. That is simply the right of public workers to strike.

5. The absolute right to a health and safe working environment.

6. The right to constant and consistent employee training.

7. And, perhaps, as important as any of the above, the right of the workers' organizations to organize their clients in the same interest of the workers and for those two interest groups to bargain collectively with management. What that simply means, for example, is that workers, for example, in AFGE Local 1550 at the D.C. Jail should have a right to engage in collective bargaining with the prisoners or the clients of those workers at the D.C. Jail.

In closing, we advance these positions not only in the interest of our individual Union members and not only in the interest of our clients, but mostly in the interest of increasing social services productivity, which ultimately increases the quality of life in the new State-to-be.

That is all the comments I have at this time, and I will certainly answer any questions that the panel wishes to address to me.

And for those who came in late, these verbal comments also will be drafted into a formal statement, which we will submit to you.

MR. CROFT: Delegate Marcus?

MR. MARCUS: Mr. Demzcuk, your point about being able to organize in the workplace is well-taken. Do you seek formal Constitutional language which specifically addresses the right to organize in the workplace itself?

MR. DEMZCUK: Yes, I think that would be important. And I am not a Constitutional specialist, and I would not know all that much about drafting that language, but I would advocate it being specifically spelled out.

MR. MARCUS: I want to ask you about the right to an adequate wage, or minimum wage, or whatever. Some of the language that we could use in terms of -- I am opposed to some minimum wages, and would like minimum wages to be on a level which are clearly adequate to workers. The question that I guess I am struggling with is, what kind of language would you put that in, in terms of guaranteeing that. For example, if one guarantees fair and minimum wage to people, is that

enough, or do we need to go beyond that? Do we need to say "an adequate minimum wage for all people"? Do you understand my question?

MR. DENZCUK: Yes, I think I understand your question. I certainly agree with the question of there being a minimum wage. The adjectives of "fair" or "adequate" minimum wage, I would advocate being somehow tied to the Consumer Price Index.

In many respects, there are a certain amount of statistics that one cannot lie with, and I think that certain elements of the Consumer Price Index can be used as a barometer or a gauge. For example, I think in labor right now, we are arguing over whether the Consumer Price Index is between 13 percent or 21 percent. But be that as it may, whether it is 13 or 21, the point is, it is much, much higher than 4 percent or 5 percent or 7 percent, that most unions are settling for now.

I would advocate that somehow, that be tied to the Consumer Price Index, which usually runs much, much higher than the prevailing wage increases from year to year. And of course, that would be tied to the inflation rate.

MR. MARCUS: I also have a question in regard to equal pay for equal work and the way that that can be best

expressed. We have had some discussion regarding simply using the phrase, "equal pay for equal work", or saying "equal pay for comparable work".

Do you have any thoughts about that?

MR. DEMZCUK: Yes. Our organization is becoming more involved in the concept of equal pay for comparable work. We have supported the positions that the American Federation of State, County and Municipal Employees have taken in States such as Minnesota and California. At this point, I would certainly advocate that we maintain a position of equal pay for comparable work.

MR. MARCUS: That, therefore, protects those people that might otherwise be excluded because of sex or age or any number of things.

MR. DEMZCUK: Exactly.

MR. MARCUS: Thank you.

MR. DEMZCUK: If I might add there, it is at this point of equal pay for comparable work that I think the process of collective bargaining and the second principle I raise of the equalization between management and workers' organizations really comes into play. There is no question that cities, urban centers, states, and the nation are in economic difficulties. There are areas at which questions of equal pay for

comparable work could create havoc on a fixed budget at a particular time -- unless the workers' organization is not working with budget managers to try and find out ways to eliminate waste, for example, or streamline budgets or streamline workplace efficiency, one runs into really serious problems in trying to meet the demands of equal pay for comparable work. And I just use that as an example to say that this whole question of the labor unions and management working closely together during the budget process is very important, as opposed to reacting at the last moment over wage disputes. I think it is very important. And this goes back to my earlier statement, saying that if people had time off, if the union representatives on a local basis had as much time to work with management on that budget as management's budget people have, there would be a lot different process going on.

My own experience at the jail is that fortunately, we had a Superintendent, Mr. George Hollin, who would virtually, because of his good graces -- not because it was in our contract -- would let me off at any time I wanted to be off work in 1979 to go and sit with Ms. Gladys Mack and go sit with William Golightly of the Department of Corrections, to go over the budget. It was at that point that we were able to find areas of waste or mismanagement or inefficiency that we

could save the Department and the City money. If I had not had that time, we would simply be taking the budget that management gave us, only, and then constantly having disputes. This is why I am trying to constantly argue for this equalization role between management and labor. It is the elements of time, materials, representation, et cetera -- you name it.

MR. MARCUS: I would like to talk for a minute about healthful working environment, and get some sense of what you mean by that. There is an article which hopefully will be reported out by this Committee which deals with a healthful environment in general, and part of that deals with a healthful working environment. I would like to have some sense of what you mean when you say that, so that I have some context of understanding of how you use that.

MR. DEMZCUK: Well, I would have to specifically speak, and we would have to go workplace by workplace, to talk about what I mean by "healthful environment". Generally, what I am talking about is that whoever defines the issue has the power to define the problem. Whoever has the power to make the definition has the power to define the problem. It gets back again to what I am saying earlier. When several individuals from different interest areas come together to try and solve a problem, you are going to get a more accurate picture

of the problem. Whereas, if one person and one person only is trying to solve the problem, or one interest group, you are not going to get an accurate reading. What I would say in the healthful work environment is that the labor organization must have equal say as to what a healthful work environment is. At this stage, management usually dictates what the healthful work environment is.

I could not give you specific guidelines as to whether or not a certain amount of asbestos is healthful or not, or whether or not a certain amount of stress in a worksite is healthful or not. I could not give you that. I could say that 90 decibels of noise is unhealthy. We all hear about that. But more importantly is that both sides should have full information as to what a healthful environment is, and then a decision should be made there.

MR. MARCUS: Thank you.

MR. DEMZCUK: Could I add one thing?

I would also advocate that one thing that we are lacking right now in the District of Columbia is constant training programs of what is a healthful workplace to employees. Because of budget limitations at this point, we do not have health and safety training programs for employees. Therefore, we have a lot of employees who do not see dangerous

workplaces. So it gets to my sixth point in saying that constant employee training must go on, and one of those areas that must go on is what is a health and safe workplace.

And then, the third point would be strong enforcement policies of unsafe working conditions. I think when -- and this is not to disparage managers in any way -- but any human being who does not have a real threat hanging over his head as far as enforcement is concerned, that they will let matters slide. And I don't think our enforcement policy is strong enough. I don't think a slap on the wrist is strong enough.

MR. CROFT: Delegate Mason?

MRS. MASON: I want to thank you for coming and thank you for the work you are doing and have done in the past. You said that we will get a copy of your testimony.

MR. DEMZCUK: Yes, ma'am.

MRS. MASON: Would you have any precise language in your testimony that you would like to recommend?

MR. DEMZCUK: At this point, I cannot say that I would, but what I will do is run it past our health and safety people at the Union and also our General Counsel's Office, and see if they can submit precise language, as well.

MRS. MASON: When you speak of a healthful and safe environment, you mean indoor and outdoor?

MR. DEMZCUK: Yes.

MRS. MASON: I'm sure it could include working around hazardous waste and even not having healthy drinking water; right?

MR. DEMZCUK: Right, exactly, as well as breathing the air. I think that the National Institutes of Health, in its 1980 Report, indicated that 70 percent of cancer today is caused by factors outside -- environmental factors. I think the figure was 70 percent. I think that includes both the drinking water and the air that we breathe.

MRS. MASON: You spoke of the right to strike. Do you know how many States have that constitutional provision?

MR. DEMZCUK: No, I don't; do you?

MRS. MASON: No.

MR. DEMZCUK: I think it is four or five. I think it is Minnesota, Hawaii, Michigan --

MR. CROFT: It is seven States.

MR. DEMZCUK: What are they? I do not know what they are.

MR. CROFT: Well, there are seven States in which public employees have the right to strike.

MR. DEMZCUK: Pennsylvania is one; parts of Maryland.

MR. CROFT: One of them is a New England State. I think it may be Vermont or New Hampshire.

MRS. MASON: I would think it would be either Vermont or New Hampshire. They are both progressive States.

MR. DEMZCUK: I don't advocate the right to strike for the sake of right to strike; not at all. I think withholding labor and striking is only a last resort measure and should occur only after a significant effort of mediation and fact-finding has been attempted.

MRS. MASON: I have one question which is a political question. Would your Union have contact around the country to help us lobby to get this passed on the Hill?

MR. DEMZCUK: Yes. We have 1,500 Locals throughout the country. We have a Legislative and Political Action Committee that is active in every State of the Union, and we have members in every Congressional District throughout the country. We have 15 Districts which have National Vice Presidents, who are very active politically, and also in Hawaii and Alaska. So, yes, we do have those contacts, and also, the President of our organization is also the President of the Public Employee Department of the AFL-CIO, which includes all public workers' organizations affiliated with AFL-CIO. At that point, perhaps also, we would like to

assist this process of statehood.

MRS. MASON: Is there some way we could deal with that mechanically, like how can we get together with you --

MR. DEMZCUK: Yes, I think we could, and I think it would be pretty easy, in the month of April or May sometime, or whenever we have time, to meet with the Public Employee Department representatives and to argue for this to be one of the priority issues in the 97th Congress.

MRS. MASON: Would they be able to identify the people who would be sensitive to our needs on the Hill?

MR. DEMZCUK: Yes. We have an enemies list and a friends list which we could share with you.

MRS. MASON: Then you will share that with us?

MR. DEMZCUK: Yes, we would be able to do that.

MRS. MASON: Thank you, Mr. Chairman, and thank you, Mr. Demzcuk.

MR. DEMZCUK: You are very welcome. Thank you.

MR. MARCUS: Thanks.

MR. CROFT: I don't have any further questions. I would like to thank you for coming and testifying before this Committee.

MR. DEMZCUK: I really feel honored, being in a

—
founding dialogue of the new, great State of Washington, D.C., or whatever we are going to call it. I am honored. Thank you.

MRS. MASON: Would you mind giving us your telephone number?

MR. DEMZCUK: 737-8700.

MRS. MASON: What name would you like the new State to have?

MR. DEMZCUK: "Columbia" appeals to me for some reason. I don't know why. It is the only one that struck me as being round and identifiable and with visibility. And I think that the roots of the word, "Columbia", are interesting, and they go back into both Europe and Latin America, and I am interested in what the roots mean, and I like the idea of "Columbia".

MRS. MASON: One other question. Could you identify somebody good who would be helpful on this Statehood Contact Commission, from your organization?

MR. DEMZCUK: What is that?

MRS. MASON: In the law, there is a provision for a Statehood Contact Commission to work in a group made up of local people and people and Federal people, to work out the problems involved with Federal interests.

Why don't you think about that?

MR. DEMZCUK: Yes, I will. I think our General Counsel's Office may have somebody who would be interested in that.

Could you tell me what the proposed names are? I think I read something quickly in the "Post".

MR. MARCUS: There are a whole plethora of them. Delegate Charles Mason and Delegate James Baldwin are in that particular Subcommittee, the Committee on Preamble and Rights, but "Columbia" is one of them; "Potomac" is one; "Anacostia" has been suggested; "Banneker"; "Douglass"; "Rock Creek"; "Hobsen". "New Columbia" was another one. Names keep pouring in. Several people have suggested we just leave it as "The District of Columbia".

MR. DEMZCUK: I like "The District of Columbia", too, and I also like "Hobsen".

MR. MARCUS: Me, too.

MRS. MASON: I also like "New Columbia", since we have "Columbia, Maryland", if we were to deal with dropping "District". It is very interesting.

MR. DEMZCUK: Yes, it is. I also think that you all are doing very good work.

MRS. MASON: Thank you.

MR. DEMZCUK: Whenever the "Post" reports, I usually

take the other position, except when they report on things that I like them to report on.

MR. MARCUS: I would hope that you might find the time to respond to Mr. Raspberry's outrageous column last week.

MR. DEMZCUK: Yes. He every once in a while goes off.

MR. MARCUS: He certainly did that time.

Thank you.

MR. DEMZCUK: Thank you very much.

MR. CROFT: Thank you very much.

(Witness excused.)

MR. CROFT: Would you please state your name and the organization you represent, Mr. Guyot?

STATEMENT OF LAWRENCE GUYOT, INDIVIDUAL

MR. GUYOT: My name is Lawrence Guyot. I represent myself.

I have been active in the empowerment of black people most of my life. I was the founder of the Mississippi Freedom Democratic Party. I was a member of the Student Non-violent Coordinating Committee. I was part of the group that challenged the Congressional Delegation from Mississippi in 1965. I have met personally and worked with Malcolm X,

Martin Luther King, Jesse Jackson, ad infinitum.

And I want to identify myself, because I want it clearly understood, as was pointed out by Mr. Marcus, that I have testified before other committees, and I will continue to testify before each committee on one central fact, that what has happened is politically, in all of my study of the attempt at black empowerment, never, from John Walker's, "One Continuous Cry" to "My Soul is Rested" by Howard Raines, there is not a single incident of political consequence to black people in which blacks had a mathematical majority, and then organized a black caucus.

I want to state publicly that I think this is political suicide. It is fratricidal. It is consistent, however, with the two schools of thought that really are fighting for conquest in the body politic of Washington, D.C. Those two schools of thought are the builders, on one side -- and I identify the positive people, who look at politics as an avenue, who accept initially that there is no decision that is not political, and their attempt to use every opportunity to build, to consolidate power, and to use it consistent with the needs of people. That is the builders.

There is another group called the breakers. The breakers take the position that they do not have to

individually justify their political careers, because it is based on negation, the inability of the system to deliver. And we can look at political personalities in this City, and I will be kind enough to do that for the Committee. Barbara Simmons, Lockridge, Warren -- they are political individuals who have rested their political careers on negation, nihilism and hate. The interesting thing is they have been quite successful. And it is ironic that the breakers at this moment have political control, and racist control, of the Constitutional Convention.

I want to point that out as a friend of the Constitution, because I think it is a liability that must be dealt with politically. And I was very, very proud to see Delegate Mason deal with it with a man who I consider -- Bernard Demzcuk is the quintessential organizer. And I want to publicly identify him, while I am identifying people as part of the builders of the political infrastructure, and a very healthy and a very competent one. He is better than most political organizers I know.

I would hope that that is done with every interest group in this city. I would hope that hearings are expanded. I would hope that the way to deal with carrying the baggage of racism -- and I am prepared to debate that with anyone

who maintains that the political decisions that were made about this Convention were in fact made along the basis of race. If it had been the mathematical reversal, if we were talking about a situation in which 28 whites sat in conjunction, organizationally, with 17 blacks, I would be here, defending the right of the blacks to organize a black caucus. I want to be clearly understood on that. That is not what we are talking about.

We are talking about a situation that risks the whole ball game when you already have the votes. They use their power not only against white people, but against black people. Despite the presence of Mrs. Mason, which I think is a mathematical and political fact -- I was very proud to be the one to call Mrs. Mason and tell her that she had gotten more votes than anyone else -- and yet, we suddenly find, without any accusation of malfeasance, nonfeasance, political obsolescence, or what-have-you, there is a defeat there.

Now, I am not challenging the right of the organization to determine its leadership. Because of the fact that I am interested in the empowerment of black people, a tax-paying, active political student in this City, every member of that constitutional delegation is an agent of mine and other voters. I don't want racism done in my name. It has been

done, it will continue to be done, and I think the move now has got to be, how do we salvage something out of this situation.

I would urge you to continue to do what Delegate Mason has done, as it relates to lining up support, but I would hope that it would be done not only for the country, but there is a tremendous problem, and the classical schools of political thought are at battle right now in this City. Is the Constitutional Convention an opportunity to build, or is it one to break?

I would challenge each Delegate to wrest control of that Convention from the breakers, and let's begin to build, because if and when you lose, you are not individuals. There is no delegate there who should be allowed the ethical, political opportunity to represent only his or her interests. There is no one there who wasn't elected, no members who were appointed. There are no self-appointed members. And I am just concerned that politically, we have an opportunity that we may have already lost.

MR. CROFT: Thank you.

Questions from members?

Mr. Marcus?

MR. MARCUS: I just want to thank you for your

two statements, last night and today. They gave me a great deal of pause for thought. It is interesting that these two committees, at least, are two committees which I feel like are made up of builders, principally, and people who are real interested in building something. I hope that your message reaches people on other committees who may have been part of that particular move. My sense is that at this point, the Convention is trying really hard to move past some of that, and that may in fact exist, and that did in fact happen, and there was that struggle, but my sense was that a lot of people have begun to work together at this point, to build something.

But thank you.

MR. CROFT: Delegate Mason?

MRS. MASON: I want to thank you, also, not only for your statement today, but for your long, hard, and dedicated efforts in the past, all through the Mississippi Freedom Democratic Party days, and all those other beautiful people.

Thank you.

MR. GUYOT: And I would certainly be remiss if I didn't point out that you are certainly one of those beautiful people, and just keep on doing what you can and what you have done to empower people who are presently unempowered.

MRS. MASON: Thank you. I will. I won't let anybody turn me around.

MR. GUYOT: That's right.

MR. MARCUS: Thank you.

MR. CROFT: I'd like to thank you on behalf of the Committee.

(Witness excused.)

MR. CROFT: If there are no further questions, or any further comments from witnesses, our next witnesses are this evening, and I will give the committee the time.

We have a Mrs. Gerry Linder, who is coming to testify at 8 p.m. I do not know what organization she is coming from; that is not listed here.

And then, Mr. Cornbread Givens, who is Chair of the Mayor's Commission for Cooperative Economic Development, is going to testify at 9:00.

Bruce Waxman was supposed to be here at 2:00. I don't know what happened to him. I will call him.

Then, on Thursday, Mr. James Daugherty is coming on Thursday, at 7:30. Dino J. Drude is coming at 8:30, and George Zacharias, President of UDC Faculty Association, NEA, is coming at 6:30 on Thursday. That's what we have so far.

(Whereupon, at 2:50 p.m., the Committee was recessed to reconvene at 8:00 p.m. this same day.)

A

The evening session was convened at 8:00 o'clock p.m.

Chairman: Delegate Croft.

Present:

Delegate Barnes

Delegate Cooper

Delegate Marcus

Delegate Long

Delegate Mason

Delegate Corn

Delegate Shelton

EVENING SESSION

8:00 p.m.

DELEGATE CROFT: Pursuant to the rules of the D.C. Statehood Constitutional Convention, the Committee on Business and Economic Development and Labor is holding the second session of its public hearings on April 13th, 1982.

Let the record show that the Delegates present are Mason, Long, Marcus, Barnes, Cooper and Delegate Shelton, and Howard Croft, who is chairing the meeting and Delegate Corn.

This is a continuation of the first session of the hearings.

The Chair will recognize Mr. Cornbread Givens.

Could you please state your organization that you represent?

TESTIMONY OF CORNBREAD GIVENS

MR. GIVENS: My name is Cornbread Givens, Panel.

I am the President of the Poor People's Foundation. But I am also the Chairperson of the Mayor's Commission on Cooperative Economic Development and it is in that capacity I offer these words of testimony.

My statement is submitted on behalf of the Mayor's Commission on Cooperative Development which was established by Executive Order of the Mayor on May 29, 1980.

The Commission was formed to advise the Mayor and the District of Columbia residents on the ways to promote cooperative economic development in order to give low and moderate income residents of the District an equal opportunity to participate in the overall economic development of their communities.

The Commission has developed a blueprint for action of which the Panel has a copy to guide its activities. Both the Executive Order and the Blueprint are attached.

Within the blueprint is the Executive Order establishing the Commission.

In recent years, the District of Columbia has enjoyed considerable economic growth and for many, this has meant increased prosperity. However, these gains have not been equally shared by all residents.

Rapid growth and increased popularity of the District as a place to live has contributed to residential displacement, primarily of poor, minority and elderly Washingtonians.

While there has been new opportunity for highly-trained residents, unemployment and underemployment were a growing concern even before the current recession and federal reduction in forces. The average salary for white collar workers has continued to climb while blue collar workers, the

unemployed, the underemployed and those on fixed incomes have found it increasingly difficult to pay the rising costs of transportation, food, clothing, shelter and other means.

Community development through traditional means such as trickle-down economics promises increased opportunity for some but its benefits are unlikely to be equally distributed if individual and corporate ownership from the primary former models we are accustomed to relating to.

If community development for the encouragement of cooperatives is included in any process in community cooperative economic development of businesses, light industry, services as well as cooperative housing can contribute greatly towards the overall economic development of our community.

Cooperatives allow consumers to save moneys on goods, services and heating, heating oil -- from heating oil to groceries and the like.

And to establish community-owned businesses and industries will create jobs, increased tax base, generate revenue that today has been traditionally non-available. It would offer an opportunity to stimulate our growth as a state and keep funds within the community.

For example, it is estimated that \$80 million a year exits from Ward 8 alone, within the District -- \$80 million

of largely D.C. Government funds because many of the people in Ward 8 are on fixed incomes and receiving some kind of subsidy.

The District of Columbia already has legislation governing cooperatives. The D.C. Cooperative Associations Act -- and there is a copy attached to this testimony -- [exists] but more action is needed to assure that cooperatives are recognized and encouraged in every aspect of community development and neighborhood maintenance.

The Commission urges the Economic Development Committee or the District of Columbia Statehood Convention to assure that the State Constitution encourages the establishment and growth of cooperatives.

All language in the Constitution involving economic development and housing should fully include and specifically encourage cooperatives. We note, for example, that while the Constitution's draft section on corporations specifically makes no mention of cooperative companies and associations, there is no specific language including cooperatives in the section on the State Economic Development Bank.

We strongly urge that the section be modified such that the list of individuals "Individuals, corporations, partnerships, limited partnerships or other businesses and

establishments" be expanded to include cooperatives.

That word is missing. It is no one's intent to exclude cooperatives. However, additionally, cooperative economic development is not viewed to be part of the mainstream of economics when in fact it is part of the mainstream of the American economy.

It has not yet reached a level of awareness amongst low-income communities, particularly those in the urban areas. Moreover, we recommend that a specific reference to the value of encouraging cooperatives be added to the section on the general welfare since the use of cooperatives is an effective means of improving opportunities and living conditions for low and low-moderate income residents of the District.

It has been the experience of the Commission that cooperatives tend to be forgotten or systematically excluded from programs and from economic development efforts unless their inclusion is clearly stated in the language establishing and governing such programs.

Thus we strongly urge the Economic Development Committee to protect the interests of low income and low-moderate income residents of the District and by assuring that cooperatives are systematically included and encouraged throughout the language of the District of Columbia Constitution.

Historically, cooperatives got started in this country in full scale during the Roosevelt era. They began long before that time but I can mention some that started during that time that today we take for granted. For example, the 80th listed corporation of Fortune 500's Number 1 list is a cooperative. It is Farmland Industries.

The Sunkist Orange Juice is a cooperative. It is an outgrowth of a cooperative movement that started in California amongst growers.

Dairylea is a cooperative. Other cooperatives that come to mind is Land O'Lakes dairy products. When you buy butter and cheese, the Land O'Lakes Dairy, that is a cooperative.

So while we talk about --

DELEGATE CORN: SCAN.

MR. GIVENS: SCAN Furniture in Georgetown is a cooperative. It is operated by the Greenbelt Cooperative Society, which is situated in Greenbelt, Maryland. It started during the Roosevelt Era with housing.

They now operate -- I think it is like four supermarkets, three or four service stations.

The dilemma we are confronted with is that our horizons need to expand. To say that the economy or conditions

that exist today is not sufficient. It is, I think, a point that all of us will conclude and not just us in this room.

I think that even those that are of the upper income levels, you ask them about their economic situation, they will tell you, "I want to do better."

But to do that, we have to eliminate dependency by vast segments of our community and certainly, when we become a state, we are going to have to do that. If we do not eliminate a drain on the economy, then notwithstanding what we do, we are going to perpetuate not only the state of economic dependency amongst the population but it is going to drain the Treasury and we may even end up bankrupt at some point.

If we can come up with a system where people are included in the process of generating capital, stimulating the economic growth, creating jobs and income within the local environment, then we automatically begin to compound whatever financing that we can come up as a state, be it taxing -- one of the best forms of reduction of taxes is expanding the tax base.

Expanding the tax base by including people who are outside of the tax base -- include them in the process of paying taxes by generating income that they participate in the process of reduces the overall burden on the total population as a

whole and it is the strong emphasis we urge the committee to include in its writings cooperatives as a form of legitimate business.

We have a piece of legislation passed in 1940 by the Congress of the United States. That is the Cooperative Associations Act of the District of Columbia.

It is a legitimate form of doing business that we need to exploit.

Thus I conclude, notwithstanding how we approach our process toward becoming a state, one form of leadership is to be creative and lead the way for other states to follow by maximizing resources we have from within.

And I conclude with encouragement once again, notwithstanding what we write relevant to economic development, cooperative economic development needs to be specifically mentioned and encouraged and even go to the point of being able to say to people that you know, we encourage that.

Particularly with the bank when we set up a bank, the hardest business to get a loan of any sort is a cooperative so that bank is to be for those corporations finding it difficult to receive funds and loans and et cetera. Then it will be a disservice to the total effort to exclude cooperatives.

So I come with that message tonight, not to

criticize. I think the effort on behalf of those working towards stated initiatives needs to be commended. For sure, one day it is going to go down in history.

I am optimistic about becoming a state. I think the same feeling toward home rule existed in terms of "apathy." People did not believe that was going to happen. But we have to prepare ourselves for the future.

I appreciate your time. And thanks for giving us this opportunity.

DELEGATE CROFT: Mr. Givens, would you answer questions from the Delegates?

MR. GIVENS: Certainly.

DELEGATE CROFT: Delegate Marcus.

DELEGATE MARCUS: Mr. Givens, thank you very much. Your fame has preceded you -- at least with the people that I know -- and it is really a pleasure to be here with you.

I want to point out before I ask the question that the two pieces -- two articles that you quoted, two draft articles -- have not even come before this Committee for formal consideration. They were submitted by members of the Committee.

You certainly have convinced me that they should be written specifically with an eye towards cooperatives.

As I understand what you are saying, that on some

level, just the mention of cooperatives in those particular articles would do a whole lot in terms of raising consciousness of people in the community in that regard.

Is there anything else that you would see in terms of the language that would be real important, in terms of facilitating the use of cooperatives or facilitating the operation of cooperatives, especially in terms of the bank?

MR. GIVENS: I could see it with the bank with some front-end mobilization, education and technical assistance services for communities that are without, you know, any kind of economic viability.

People need to be mobilized. They need to be put in motion around questions so that there would be some movement. Or they need to have cooperative education. People need to be educated to the level of understanding what cooperatives are, how they function, how they work.

People need to be provided technical assistance to structure their corporation and people need to actually be shown how to do it and more importantly, or equally important, the technical assistance needed to cause a business to be successful needs to be available.

I think most businesses fail because of technical assistance -- good management, public relations, marketing,

purchasing -- [that is not available to them]. And so, technical assistance and cooperative educational materials need to be made available, in the language of the bank itself.

I mean, it is one thing to loan people money. Even the partnerships and the corporations, if you will and limited partnerships -- it is unwise to put money out and not attach technical assistance to the money because the blind cannot lead the blind.

Not successfully.

DELEGATE MARCUS: I understand that the only -- I want to make it clear, also, that I am very much in favor of some sort of state economic development agency and I would prefer that be a bank and what comes out is, I suppose, up to the discussions within the community, within the Convention. But I understand that the only state which currently talks about a bank in the State Constitution is the State of North Dakota.

Are you familiar with that?

MR. GIVENS: No, I am not.

DELEGATE MARCUS: Okay.

MR. GIVENS: I think that is interesting.

DELEGATE MARCUS: Okay, the rest of the question, then, had been whether or not they actually discussed cooperatives as part of that and I was wondering if you knew anything

that?

MR. GIVENS: I am not sure. It is possible. Cooperative activity was active in the Dakotas in 1895.

DELEGATE MARCUS: Yes.

MR. GIVENS: You know, so I would think so. It is possible that they would have it.

DELEGATE CROFT: Delegate Barnes.

DELEGATE BARNES: Yes, I have a few questions.

One would be -- my first question is, do you see the need for -- in the text that we will produce -- to develop some kind of cooperative agency that would -- to describe a cooperative agency that would take care of a lot of the functions that you are talking about, education, technical assistance, grants, et cetera -- in the text of the Constitution we are producing?

My second question is, I would like you to comment on several things that I have always heard about cooperatives in a negative sense or at least not in a positive sense, that they tend to be utilized by middle class persons who have the, I guess, ability to sift through a lot of, you know, legal procedures et cetera and that they really never help the poor.

And I guess the strongest example is -- I mean are

the housing co-ops.

MR. GIVENS: Well, it is true what you say. That is because there has been no attempt to organize cooperatives within the low and low-moderate income communities. Cooperatives are like, for the benefit of the members. And the middle class communities are well along the line of developing co-operatives.

You see, cooperatives are not foreign to the American economy. They are only foreign to the low-income people in particular. And those that have experienced any kind of activity with the label cooperative have found it to be negative because of the approach that was used by, say, the anti-poverty programs and whathaveyou, okay?

So that is why cooperatives are needed in low-income communities and they work, no question about it, you know, as to whether they work or not.

Your first question -- what was it, again?

DELEGATE BARNES: Should we describe in our text a cooperative agency that would be --

MR. GIVENS: Yes, I think that would be a good idea. Yes. I think everything needs to be put to paper -- as much as we can, as much as we can see, it needs to be put to paper and yes, in the paper it should be an agency to relate

to cooperatives because of -- I would think, when we become a state, the D. C. Cooperative Associations Act would not be eliminated from the legislative, you know, materials so I mean, you know, we have a framework from which to begin.

It is just like adding some meat to the bones, you see?

DELEGATE BARNES: Right.

MR. GIVENS: Sure.

DELEGATE CROFT: Delegate Cooper.

DELEGATE COOPER: Yes. William B. Cooper, Ward 4.

Mr. Givens, along the area of state banks, I would like to ask you how much regulation or oversight, if any, do you think may need to be attributed to such a state banking commission and to the banks that, indeed, may be chartered by and for the state?

MR. GIVENS: Well, I think we should have control over the regulatory processes ourselves as a state as opposed to, you, remitting that to the federal side of the, you know, total governmental system, you know, because to some extent the Federal Government, you know, regulates banks as well.

But we need to have a commission that is representative with the interests of all people involved.

I am totally opposed to a banking commission of

bankers. That is a conflict of interest. I mean, that is just not appropriate with reality to have bankers regulating themselves. That is just -- you know, that is not workable in the places that are doing it so I think we, you know, really need to take an objective approach and a creative approach.

DELEGATE COOPER: Do you think such an agency would then lend itself to the constitutional language? And to what degree?

MR. GIVENS: Well, I am not -- I don't want to, you know, really get into it because I am not clear on it myself. You see, I have not studied it. You know, I have been busy in other areas of responsibility.

But I can't -- you know -- I don't know, to what degree.

DELEGATE CROFT: Delegate Corn.

DELEGATE CORN: Hi. I am Gloria Corn. I believe we met a long time ago.

MR. GIVENS: Umm hmn.

DELEGATE CORN: And it is a pleasure to see you again. As I recall, our last conversation centered around your first name and my last.

MR. GIVENS: Right.

DELEGATE CORN: I would like to ask you something.

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There was a suggestion from the People's Council on Utilities that when utilities -- at some point or other, something could trigger an initiative and referendum situation to make utilities publicly-owned.

Being a Republican, I don't particularly like publicly-owned but I don't also care for the way Pepco is run, privately-owned and I had suggested an alternative route of making utilities that, if and when such an initiative and referendum be triggered and instead of being triggered as publicly-owned, it would be triggered as a cooperatively-owned body for the ownership and distribution of utilities.

Would you comment on that?

MR. GIVENS: I think that is the only salvation to realistically taking the incentive of exploitation out of a process of supplying a basic need. And the basic need is utilities.

Cooperative utilities are flourishing in this country. They may be flourishing in largely rural areas and a rural area is defined as a town of under 50,000 people. I mean, you know, so I would subscribe to cooperative ownership for the

utilities, a statewide cooperative home heating oil company where we as a state -- if we were the state today, we would be spending \$27 million on heating oil for the state. That should be a cooperative.

Not only would it be cheaper and less money we would be spending but we can expand the job base and begin to recycle some of the money back to the state, back into, you know, getting people off of dependency/welfare and on into something constructive.

Cooperative ownership of the utilities once again can be justifiably-structured so that it is not doomed to failure or looked upon unfavorably. As far as opposition, there will always be opposition but we do subscribe to cooperative ownership of the utilities.

DELEGATE CORN: You would say, in fact, that that was a superior form of ownership than, let's say, private ownership or public ownership?

MR. GIVENS: I would say as opposed to superior, I would say that is a better way.

DELEGATE CORN: Than either public or private.

MR. GIVENS: Yes. Yes.

DELEGATE CORN: I definitely agree with you.

MR. GIVENS: Yes. You see, inflation is caused by

a number of factors and we have got to, you know, continuously relate to, you know, inflation as the root of all evil -- certainly in our economy.

Then we have to objectively look at it and see how can we curtail that kind of spiralism and take the fat out?

Cooperatives regulated under that D.C. statute permit only, I think, 8 percent return on your investment and they stipulate in the legislation that 10 percent of your gross has to go back into your educational activity, cooperative education activity of the members. And those that use the utilities would be members.

And the surplus -- if there be one -- would have to go back into the business or into a service for the membership and if day care is a problem and draining the budget, we can set up day care centers from the utilities surplus.

Then we can cut -- you know, we begin to compound our money.

DELEGATE CORN: Would it also, do you think, be feasible to create a cooperative out of utilities, let's say, if it were triggered by an initiative and referendum? That would mean in essence that every utility user -- anybody who used gas or electric in their home or their apartment -- would have to become a part-woner in the cooperative.

MR. GIVENS: Yes.

DELEGATE CORN: Do you think it would be financially and economically feasible to do that, to convert to that system?

MR. GIVENS: Well, converting to the system would not necessarily be difficult as much as the initial outlay to purchase the equipment from whomever owns the equipment now.

DELEGATE CORN: Well, that would be Pepco.

MR. GIVENS: Pepco. You see what I mean?

But how we run --

DELEGATE CORN: How do you see that working? Let's say there were the initiative and referendum in the Constitution that at some point that could be triggered to vote for or against a cooperative and let's say the people did vote for a cooperative ownership of Pepco, to buy out Pepco and make it a cooperative.

How could, let's say, the average home-owner or apartment-dweller afford a share of ownership in the cooperative?

MR. GIVENS: Well, you have to define what the share amount would be. I mean, it may be something that everyone can afford, the initial outlay of, you know --

DELEGATE CORN: Would that be the same for each person?

MR. GIVENS: Yes, based on usage.

That is how a co-op works. Based on what you use, is what your share amount is.

DELEGATE CORN: So in other words, let's say, like the Washington Post, who uses more electric, let's say --

MR. GIVENS: Then they certainly pay more than me.

DELEGATE CORN: Than the home-owner.

MR. GIVENS: Right.

DELEGATE CORN: Or the apartment-dweller.

MR. GIVENS: Right.

DELEGATE CORN: I see. Do they have an equal vote? Exactly how would that work?

MR. GIVENS: One person, one vote, according to the D.C. statute, notwithstanding how many shares you hold, how much equity you have in, one person, one vote.

DELEGATE CORN: So in other words, let's say, whether the Washington Post had to pay, let's say, a million dollars for their share in the ownership of the utility and I as an apartment dweller only had to pay, let's say, \$100, we would all, they and I, would have the same vote?

MR. GIVENS: The law speaks to that. One person, one vote. That is what it is. One vote per member.

DELEGATE GIVENS: Whereas in a corporation it is

more like your ownership that determines what percentage, right?

MR. GIVENS: Yes. I would think the Post would have a million shares and I would have one.

Or a million votes and I would have one vote.

DELEGATE CORN: In a corporation.

MR. GIVENS: Right.

DELEGATE CORN: But in a co-op we each have the same vote.

MR. GIVENS: Right.

DELEGATE CORN: I see. Very interesting. And that certainly would mean that the little guy could have his or her say and be heard equally as well as any big conglomerate.

MR. GIVENS: No question. Absolutely.

DELEGATE CORN: Thank you very much.

MR. GIVENS: Absolutely.

DELEGATE CROFT: Delegate Mason.

DELEGATE MASON: Thank you, Mr. Chairman.

Mr. Givens, it sounds like we have gotten off into writing law instead of writing the Constitution.

MR. GIVENS: I am sorry I instigated that.

DELEGATE MASON: Would you consider trying to write some language for us that would be appropriate for a Constitution as opposed to law that would deal with the issue

— you are raising?

MR. GIVENS: And incorporate the thoughts that surfaced this evening?

DELEGATE MASON: Well, I am saying, we do not want to make it a law.

MR. GIVENS: Right.

DELEGATE MASON: Because a constitution does not need to spell out all the details of the law. I just want to know, how would you -- would you consider trying to draft something that you would like to see put into the Constitution that would cover your concerns?

MR. GIVENS: Sure. You threw the ball in my court. I can do that. Sure. I can do that.

DELEGATE CORN: Could you do that by the 22nd, let's say?

DELEGATE CROFT: Excuse me. Delegate Mason has the floor.

Delegate Mason.

DELEGATE MASON: How soon do you think you could do that?

MR. GIVENS: What is the turn-around time?

DELEGATE MASON: Mr. Chairman.

DELEGATE CROFT: The turn-around time is --

Cindy -- Cindy is our research assistant -- when is our turn-around time? It is April the 22nd, right?

I guess, to be feasible, I guess it would be good if we could have something written by April 22nd.

MR. GIVENS: Thursday, April the 22nd.

DELEGATE CROFT: April the 22nd.

MR. GIVENS: Just let me take a look here and see. Okay. Yes, I can do that.

DELEGATE MASON: Do you know of any other constitutions that deal with the concept of cooperative? Now, keep in mind that a constitution can be silent on something and that means that the legislature could still do it if the constitution does not forbid.

MR. GIVENS: Well, what I will do -- and I will commit to maybe going to the Library of Congress and looking at a couple of states, South Dakota, Minnesota and a couple of states where cooperatives are flourishing and just see what they have got. You know, I will commit -- I will do that.

DELEGATE MASON: You mean, in their constitution?

MR. GIVENS: In their constitution, see what they are doing.

DELEGATE MASON: Now, keep in mind that we would write something into this constitution that would preserve all

the laws on the books until the legislature does something about changing those laws and I would be interested to see whether other states have spelled out the kind of thing that you would like to have in the Constitution.

MR. GIVENS: Did I understand you to say that the Constitution would be written to preserve all of the laws that are on the books now?

DELEGATE MASON: Yes.

MR. GIVENS: Okay. So that would preserve the D.C. Cooperative Associations Act --

DELEGATE MASON: Oh, yes. Sure.

MR. GIVENS: -- amongst that as well.

Sure, I could do that. Yes.

DELEGATE MASON: Okay.

MR. GIVENS: That would be like two paragraphs, I should think, or three. It is not many.

DELEGATE MASON: It may even be one paragraph.

MR. GIVENS: One, right. Sure.

DELEGATE MASON: Let me ask one other question.

Are you involved in a lot of cooperatives -- with a lot of cooperative movement people? Do you think around the country you know people who might be able to identify some Congress people who might be persuaded to help us get this

through so that we can become a state when we petition them?

MR. GIVENS: Yes, I think we can do that.

DELEGATE MASON: Around the country?

MR. GIVENS: Yes. I think so. There was a strong lobbying campaign that went on for the National Consumer Cooperative Bank. I mean, there's networks available, you know and I think it is worth a shot.

DELEGATE MASON: Could you spend a little time putting something on paper and getting it to the committee so that we could start moving ahead anticipating being able to petition the Congress?

MR. GIVENS: Sure. You do not need that by the 26th, do you?

DELEGATE MASON: No, not that fast. But as soon as you finish your first task, then you start on your second task, right?

MR. GIVENS: Yes.

DELEGATE MASON: Right?

MR. GIVENS: I would like to do that because I would like to participate in the process and help make it work.

DELEGATE MASON: All right.

MR. GIVENS: Sure.

DELEGATE MASON: Thank you very much.

DELEGATE CROFT: Delegate Long.

DELEGATE LONG: I have a question along the same lines as Delegate Mason. Is there anything in the D.C. Cooperatives Associations Act now which is an impediment? Something that you think holds back this kind of activity? That might be cured by the right kind of constitutional provisions?

MR. GIVENS: I really don't think so. I think the D.C. Cooperative Associations Act is the best in the country and it is applicable throughout, you know, all 58 states because it was passed by the Congress.

We studied some statutes from some other states, like the New York State Cooperative Corporations Act. We have looked at a couple of others -- one in California. There are none around like the one in D.C.

I am surprised that was passed in 1940. I mean, because generally, cooperative statutes are geared for agriculture and home -- house needs -- household needs, agriculture and household needs -- furniture, you know, other kinds of things relevant to the household. And agriculture.

But the D.C. statute requires you, just briefly, it is incredible -- never seen nothing like this before on paper. Very briefly, it says on one short form -- you see what I mean? [indicating] It says what it can be incorporated

for. What you can do. Okay?

And this is -- purposes for incorporation.

"An association may be incorporated under this chapter to engage in any one or more lawful mode or modes of acquiring, producing, building, operating, manufacturing, furnishing, exchanging or distributing any type or types of property, commodities, goods or services for the primary and mutual benefit of the patrons of the association or their patrons, if any, as ultimate consumers."

We can do anything. That is really great. That is unbelievable. That was passed in 1940.

DELEGATE CROFT: Any questions from any remaining members of the Committee?

Delegate Corn.

DELEGATE CORN: When you write up a statement, I hope that you will write something in there about triggering an initiative and referendum for cooperative ownership of utilities.

MR. GIVENS: That would not be in the Constitution, would it?

DELEGATE CORN: Well, it was talked about by the People's Council so that when the triggering came of ownership of utilities it could be put before the citizens of the state

under initiative and referendum for public ownership of utilities and since you and I seem to agree that a sort of public ownership, cooperative ownership would be a better way to go.

MR. GIVENS: That may be true but if I may just comment on that -- that may not be a good idea. That may not be a good idea because if we have to go through the Congress -- and it may not change much from it is asking until we get through there, then we may have to smokescreen a lot of stuff because if we are talking about a cooperative ownership of the utilities company, that ain't going. I just don't see that.

DELEGATE CORN: Well, it does exist in some states, you know.

MR. GIVENS: That is true. That is true but we need to talk and work with that.

DELEGATE MASON: Mr. Chairman?

DELEGATE CROFT: Delegate Mason.

DELEGATE MASON: I think we need to keep in mind that, one, that the District of Columbia has an initiative referendum and recall law on the books now which will stay in effect and I think the Suffrage Committee is dealing with the concept of putting that into the suffrage article of the Constitution -- not spelling out what areas will be covered by initiative, not saying cooperatives or whatever but saying

people will have a right to initiate laws.

And I think that is adequate. I think it would be sounding the death knell to put it in there, spelling out exactly what you would use the initiative referendum and recall for and then especially the initiative in regard to getting it through Congress.

DELEGATE CROFT: Any other questions of Mr. Givens from any member of the committee?

[No questions are posed.]

DELEGATE CROFT: On behalf of the Committee, then, Mr. Givens, I would like to thank you for an extremely informative, stimulating presentation and I would like to thank you on behalf of the Committee.

We are in the stages now of getting testimony from members of the public and citizens and once we have finished that, we will begin to, indeed, put into form articles which will be submitted to the overall Convention and we will be looking forward to receiving the write-ups you are going to give to us.

MR. GIVENS: Thank you.

DELEGATE MASON: And the lobbying, Mr. Chairman.

DELEGATE CROFT: Thank you.

[The witness is excused.]

DELEGATE CROFT: I am searching for somebody.

Is it Jerry Linder? Does anybody know if Jerry Linder is here? She was supposed to be here at 8:00 o'clock.

There was supposed to be one other person testifying before the Committee this evening. It was a Jerry Linder -- Mrs. Jerry Linder -- and she does not seem to be present. She was supposed to be here at 8:00 o'clock and it is now 8:40.

DELEGATE CORN: Do you have her phone number to be sure?

DELEGATE CROFT: I do not have her phone number to be sure and I do not think I am going to go pick up the phone and call her.

What I would like to do is this, then. Let me give you briefly the people who have called in so far for Thursday and run through the schedule.

This is what I had -- what I picked up at the office today at 2:00 o'clock.

At 2:00 o'clock on Thursday, Mr. Bruce Waxon will be testifying.

At 2:30 or approximately thereabouts, Mr. Denny May, who is one of the people who spoke at the Round Table from Public Power -- is that the correct title? -- will be testifying.

Then at 4:00 o'clock, Mr. Frank Gallow, staff

director of A.D.A. will be testifying -- Americans for Democratic Action, Greater Washington Chapter -- and then at 6:30 Dr. George Zacchariah of N.E.A. will be testifying for us.

DELEGATE CORN: For what group?

DELEGATE CROFT: The National Education Association.

And then at 7:30 a Mr. James Daugherty and that is from the Environmental Law Institute will be testifying for us.

And then at 8:30, a Dino J. Droody will be testifying before us.

And sometime in the afternoon -- they have not clarified the time yet -- Ruth Jordan from Columbia Associates, either she or her husband, who is a labor lawyer, will be testifying before us. His name is Dan Jordan, so it will be either Ruth Jordan or Dan Jordan.

Yes?

DELEGATE MARCUS: I want to point out, I also had a discussion with Mr. -- I think his name is Peter Jablo or Paul Jablo? He is the Director of the Cultural Alliance of Washington, D.C. He has told me that he intends to testify on Thursday afternoon at some point, also.

DELEGATE CROFT: I need to know the time.

DELEGATE MARCUS: I will call him.

DELEGATE CROFT: Yes, Delegate Corn?

DELEGATE CORN: Might I suggest that you ask these two people that you just mentioned -- Ruth Jordan and/or her husband -- and the other person Mr. Marcus just mentioned -- you might try to fit them in between -- one of them 3:00 and one of them 3:30.

DELEGATE CROFT: I will try to fit them in at their convenience and our convenience.

DELEGATE CORN: That way, we could have a break from 4:00 to 6:30.

DELEGATE CROFT: I will do the best I can but I will try to fit them in at their convenience. We have scheduled the hearings from 2:00 to 5:00. They are scheduled from 2:00 to 5:00. The Committee members hopefully came in at 2:00 and sit until 5:00 but you know, people can leave when they have to leave or people can come when they can come. We have been flexible on that. There are no quorum requirements for the public hearings.

So I will try to fit them in at their convenience.

DELEGATE SHELTON: Have you heard from Schumacher?

DELEGATE CROFT: I have not heard from him but I am going to call him tomorrow. Or would you like to call him?

DELEGATE SHELTON: You call him and I will call, too.

DELEGATE CROFT: Okay, I will call him also.

There was a person that testified before Finance and Taxation yesterday who was a very, very knowledgeable person, extremely informative. I think Delegate Barnes spoke briefly to him.

Would you like to bring the Committee up to date on that?

DELEGATE BARNES: Yes. He was interested in helping Mr. Fittorillo?

DELEGATE CORN: Oh, Jim Fittorillo.

DELEGATE MASON: Yes, he is really good.

DELEGATE BARNES: And he helped with this pamphlet also. Because he was interested in the Banking Commission and things like that and he said he might be able to make Thursday as well. He was not sure. And Thursday evening.

DELEGATE CROFT: Okay. If we cannot get him on Thursday evening, what I would like to do is, in one of our sessions, invite him to come, particularly as we begin to talk about things like the State Banking Commission or state banks or state-chartered banks or the State Depository Insurance Fund.

I think that it would be important to have somebody with the kind of knowledge he has to be a sort of research person for us in that area.

DELEGATE CORN: Excuse me, is our next hearing

going to be in this room again?

DELEGATE CROFT: Yes. If it is not in this room, it will be in 115 and we will put a big note up.

There is some confusion over whether it is in this room or 115.

DELEGATE CORN: Oh, no, I just meant that it is going to be either here or in 115 as opposed to --

DELEGATE CROFT: Okay, it is here, then. It is here in this room, 114.

DELEGATE CORN: 114?

DELEGATE CROFT: Yes.

Yes?

DELEGATE COOPER: Also last night -- and I don't know if I was clear on this -- I thought that you might have mentioned a Mr. Albert R. Hoskins, Jr., who is President of the Anacostia Economic Development Corporation may have been invited to testify.

DELEGATE CROFT: Yes, he was invited formally through a letter and I also asked him again last night if he would come testify.

All right, let me just bring up this, since now we have a little bit of time.

We sent out 97 letters -- 97 letters were sent out

to people asking them to come testify. That is 97 letters separate and apart from the general mailing done by the office.

These were based upon the list of people that had spoken at the Round Tables and other people from various public interest groups.

The Committee can handle this -- at a later date, perhaps we could discuss how we will pay for the mailing of the letters. I will either eat it or take a donation. I have the receipt.

DELEGATE COOPER: When we are redoing the budget, I think a lot of the Committee Chairs are going to have those concerns about expenses that they incurred. I certainly think that they should be reimbursed and supported.

DELEGATE CROFT: Also, there were no envelopes in the office so I had envelopes made.

Okay. I would also like to know if there is any time that we could -- what we have done, and let me tell you what we did on Saturday and we still have some things outstanding and I am not sure how we want to handle it.

We have outstanding decisions on the draft language that was on what are parts, et cetera. We have outstanding -- we have not made any decisions on the language about the land use planning. We have not made any decisions about the

the language on the public utility. And I would like to know what we want to do. Do we want to try to come up with resolutions on that? Or do we want to go with the way things are going now?

Delegate Barnes.

DELEGATE BARNES: I have a question that relates to that also.

DELEGATE CROFT: Yes?

DELEGATE BARNES: You were not able to get the other draft language together?

DELEGATE CROFT: Which one?

DELEGATE BARNES: The three sections we had approved last week on Saturday.

DELEGATE CROFT: Okay, I have the draft language but what I was unable to do -- and I just cleared it up with Delegate Marcus today -- was I was unable to type the section on energy because I could not figure out where things went and I have a handwritten copy of that and I will get that done.

DELEGATE BARNES: Yes, okay. I was just wondering because we did not see anything.

DELEGATE CROFT: No, I was unable to figure out where the A's and B's and C's and D's went.

DELEGATE COOPER: And the circle and arrow.

DELEGATE CROFT: Yes.

DELEGATE BARNES: My feeling is that if -- especially if a Committee member feels strongly about a section -- that we should try to, you know, tie that language up.

DELEGATE CROFT: Okay, when do we want to try to do that? Do we want to try to fit some time in tomorrow, if we can, before Thursday?

[Side conferences.]

DELEGATE COOPER: I thought you were suggesting right now.

DELEGATE CROFT: The Chair would entertain a motion to go right now, to continue, if you want to do that.

DELEGATE CORN: Excuse me, Mr. Chair?

DELEGATE CROFT: Yes?

DELEGATE CORN: I think if we did that, since the Convention is rather strapped for funds, we ought to thank our court reporter and let her go home.

DELEGATE MASON: Yes, I agree.

DELEGATE CROFT: Okay. Fine. That is an order.

DELEGATE COOPER: Aren't we going to hear from any other witnesses tonight?

DELEGATE CROFT: No, we do not have any other witnesses scheduled for tonight. We do have this one person

who has not shown and since this person is rather late, I guess they are not coming, so --

DELEGATE MASON: Mr. Chairman, before we terminate, Mr. Herbert Jackson, the Mayor from Glenarden, came in and sat with us for a minute at the door, there.

DELEGATE CORN: I'm sorry, from where?

DELEGATE MASON: Glenarden, Maryland. And he said that he would be willing to help us in any way that he can, including contacting elected officials from Maryland who are in the Congress and also at the state level to try to get some lobbying going in Maryland.

DELEGATE CROFT: Very good.

DELEGATE MASON: That is why I followed him outside the door, Mr. Chairman.

DELEGATE CROFT: Okay. Very good.

There is one person that I would like you, if you could ask him, if you might be able to contact -- and even have him, if he could, appear. I know it is short notice.

In the Maryland Constitution there was an article submitted dealing with economic development directly and let me enter the name of the person in the record while we have everybody here.

It was Delegate Finch, Delegate Walter G. Finch

introduced an article.

It was Delegate Proposal Number 323 at the Maryland Constitutional Convention and it is titled "A Proposal That the Constitution Provide That the General Assembly May Enact Legislation to Renew and Rebuild Communities, to Design --" and so on. It is a development proposal.

DELEGATE MASON: Mr. Chairman, I had given the Chairperson of the Legislative Branch Committee -- Delegate Terrero -- the names of Carlson Sickles, who used to be in the state legislature in Maryland and then went to the Hill, to Congress.

And he said he would be willing to testify if he could know in time. Or he would come and you know, just consult with us when the hearings are over.

He also gave me the name of a woman, I do not have that name in front of me, who participated in the writing of the Maryland Constitution.

Would you like me to follow up on that?

DELEGATE CROFT: Yes, I would.

DELEGATE MASON: Okay.

DELEGATE CROFT: Can we break for five minutes and then come back to see what we can clear up in terms of what we have before us?

[General agreement. Request for 10-minute break.]

DELEGATE CROFT: Ten minutes. Okay?

We are going to take a ten-minute recess and then
reassemble.

And thank you very much on behalf of the Committee.

DELEGATE MASON: Thank you, ladies and gentlemen.

[Whereupon, at 8:58 o'clock p.m., a recess was
taken and the court reporter excused.]

The Committee reconvened informally and after
discussion, there was adjournment until a
future time and date, which was established
off the record.]